

**REMARKS**

Claims 1-27 are pending in the present application. Claims 1, 4, 9, 12, 24, and 26 have been amended. Claims 1, 12, 24, and 26 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejections in view of the above amendments and the following remarks.

***Allowable Subject Matter***

It is gratefully acknowledged that the Examiner considers the subject matter of independent claims 1, 12, and 24 as being allowable if amended to overcome the rejection under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph. While not specifically mentioned by the Examiner, independent claim 26 similarly stands rejected only on the basis of § 112, 2<sup>nd</sup> paragraph. Thus, Applicants submit that claim 26 would also be allowable if amended to overcome the § 112, 2<sup>nd</sup> paragraph rejection

***Rejection Under 35 U.S.C. § 112***

Claims 1-27 stand rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, as being indefinite. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

The Examiner asserts that it is unclear what is meant by the claimed phrase “session which is actively being transmitted over the mutual data communications connection” because the claims recite that packets are transmitted over such connection. In response, Applicants have amended independent claims 1 and 24 to clarify that “an active session [is] established over the mutual data communications connection.” Similarly, independent claims 12 and 26 have been amended to recite “an active session established over the data communications connection.”

The Examiner further asserts that “at least one of the header-field properties” in the independent claims lack antecedent basis. In response, Applicants have amended independent claims 1 and 24 to recite “at least one header-field property,” while independent claims 12 and

26 have been amended to recite “properties of header fields of the packets.” As such, Applicants submit that the antecedent basis deficiency has been cured.

The Examiner further asserts that it is unclear what is meant by the reception of a message, by a connection-formation system, “from the signalling connection” since information is transmitted over connections. In response, Applicants have amended claims 1 and 12 to recite the connection-formation system receives the message “via the signalling connection.” Furthermore, it is respectfully submitted that, because of differences in claim language, no such amendment was necessary for claims 24 and 26.

The Examiner further asserts it is unclear in claims 26 and 27 whether the same device or a different device is being configured to provide the claimed functionality. In response, Applicants have amended independent claim 26 to recite “a first device,” “a second device,” and “a third device” to clarify that the corresponding functionalities are performed by different devices. Similar amendments have also been made to independent claim 12.

In view of the foregoing, Applicants respectfully submit that independent claims 1, 12, 24, and 26 (and all claims dependent thereon) satisfy the definiteness requirements of § 112, 2<sup>nd</sup> paragraph. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

### ***Conclusion***

In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

Application No. 10/516,740  
Amendment dated June 4, 2009  
Reply to Office Action of May 5, 2009

Docket No.: 0365-0614PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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